



Michael L. Thurmond
Chief Executive Officer

DeKalb County Zoning Board of Appeals

Department of Planning & Sustainability
330 Ponce De Leon Avenue, Suite 300
Decatur, GA 30030



Wednesday, July 8, 2020 at 1:00 PM

Planning Department Staff Analysis

N2 Case No: A-20-12444059 Parcel ID(s): 15-144-04-006; 15-144-04-009

Commission District: 03 Super District 06

Applicant: Brad Noble
1200 Ashwood Parkwood
Atlanta, GA 30338

Owner: CDM, INC
377 Westchester Blvd
Atlanta,, GA 30314

Project Name: 1250 & 1264 CUSTER AVE

Location: The properties are located north of Custer Avenue, approximately 420 feet east of Moreland Avenue, at 1250 & 1264 Custer Avenue Atlanta, GA.

REQUEST: Variances from the DeKalb County Zoning Ordinance: (Section 27-2.24.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements)) to reduce the front and rear yard setbacks for a proposed self-storage building, relating to the C-1 zoning district

Staff Recommendation: “APPROVAL” as shown on the submitted site plan received on May 7, 2020.

STAFF FINDINGS:

Table 1: Surround Zoning and Land Use

	Adjacent Zoning	Adjacent Land Use
North	C-1	Commercial
East	C-1	Commercial
South	C-1	Commercial
West	C-1	Commercial
Northeast	C-1	Commercial
Northwest	C-1	Commercial
Southeast	C-1	Commercial
Southwest	C-1	Commercial
Street Type	Collector	

Site Location: The properties are located north of Custer Avenue, approximately 420 feet east of Moreland Avenue, at 1250 & 1264 Custer Avenue Atlanta, GA.. The site is zoned C-1 and is surrounded by C-1 zoned properties to the north, east, south and west. The subject properties currently fronts Custer Avenue, and is classified as a collector street.

Variance request: Variances from the DeKalb County Zoning Ordinance: (Section 27-2.24.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements)) to reduce the front yard setback from 50 feet to 36 feet and rear yard setback from 30 feet to 10 feet for a proposed self-storage building, relating to the C-1 zoning district.

Variance Analysis: Based on the submitted materials, the applicant is proposing to build a self-storage building on the subject lot. The DeKalb County zoning ordinance requires a minimum 50-foot front yard setback and 30 foot rear yard setback for lots within the C-1 zoning district. Based on the submitted material, it appears that the requested variance meets the criteria for approval based on the following criteria::

1. By reason of exceptional narrowness, shallowness or shape of a specific lot, or by reason of exceptional topographic conditions, which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district:

Based on the submitted site plan, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners.

2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located:

It appears that the requested variance does not go beyond the minimum necessary to afford relief. Therefore, granting this variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.

3. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located:

Granting this variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.

4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship:

Based on the submitted materials, the strict application of the applicable provisions and requirements of this chapter would cause an undue hardship for the applicant.

5. The requested variance would be consistent with the spirit and purpose of this Chapter and the DeKalb County Comprehensive Plan Text:

Based on the submitted materials, it appears that the requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

FINAL STAFF ANALYSIS:

Based on the submitted materials, the strict application of the applicable provisions and requirements of this chapter would cause an undue hardship for the applicant. Therefore, the Department of Planning and Sustainability recommends that the application be “approved” as shown on the submitted site plan received on May 7, 2020.

STAFF RECOMMENDATION: “APPROVAL” as shown on the submitted site plan received on May 7, 2020.